

36.11.412 BIODIVERSITY - MANAGEMENT AT THE URBAN/FOREST LAND INTERFACE (1) In the urban/forest land interface, the department may diverge from other forest management rules as defined in ARM 36.11.404 through 36.11.450, if the following overriding concerns are identified at the project level:

(a) public safety, including the potential for loss or damage to critical power or communications systems;

(b) fire hazard; or

(c) adherence to the rules would yield undesirable results due to activities of others beyond the department's control, for example snags left for biodiversity reasons near open roads or housing, are likely to be harvested by firewood gatherers thus not fulfilling department objectives.

(2) The department shall consider the consequences of retaining snags and snag recruits that may be readily removed by the public for firewood, or that pose a public safety hazard. (History: 77-1-202, 77-1-209, 77-5-201, 77-5-204, MCA; IMP, 77-5-116, 77-5-204, 77-5-206, 77-5-207, MCA; NEW, 2003 MAR p. 397, Eff. 3/14/03.)